

Resolution 11-24, Series 2017

**A RESOLUTION ADOPTING REVISED TOWN OF JAMESTOWN
PURCHASING POLICIES**

WHEREAS, the Board of Trustees has adopted a set of Purchasing Policies (Resolution 8, 2013) to govern the procurement of specified goods and services; and

WHEREAS, the adopted Purchasing Policies and the award of bid provisions included therein are solely in support of the proper exercise of the Town's fiscal responsibilities and are for the benefit of the Town of Jamestown, and confer no rights, duties or entitlements to any bidders or proposers; and

WHEREAS, the Town of Jamestown wishes to align with federal grant regulations regarding awarding contractors on the basis of geographic preference; and

WHEREAS, the Board of Trustees determines the attached Purchasing Policies should be approved and adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF JAMESTOWN, COLORADO:**

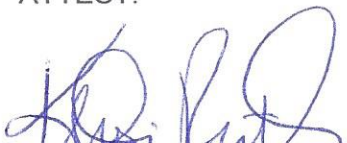
Section 1. The Town of Jamestown revised Purchasing Policies in the form attached hereto, are hereby adopted by the Board of Trustees effective November 6th, 2017.

INTRODUCED, READ AND ADOPTED this 6th day of November, 2017.

TOWN OF JAMESTOWN, COLORADO


Tara Schoedinger, Mayor

ATTEST:


Kristi Rutledge, Town Clerk

TOWN OF JAMESTOWN PURCHASING POLICIES

The purpose of these policies is to establish purchasing procedures to maximize the value of public funds spent for purchasing goods or services. This process allows the establishment of safeguards for maintaining a system of quality and integrity. These policies are applicable to all purchasing for the Town of Jamestown and are established to ensure that needed goods and services are obtained in a timely manner, at the lowest prices possible, consistent with acceptable quality standards.

The Town of Jamestown shall follow set procedures established for the procurement and purchase of services or goods exceeding \$25,000. All Town employees and elected officials are required to exercise prudence when using public funds for procurement of any goods or services regardless of the amount. At no time should an expenditure exceed the overall appropriation for the expenditure of money. And the entering into a contract for an amount more than \$500 shall require the approval and signature of the Mayor before they can become valid.

Procedures which apply to purchases made directly by Town staff as well as the steps followed by the Town Clerk are described below, along with the public purchasing law and ethical standards that shape the Town's purchasing activities.

3.1 Governing Laws and Policies.

Procurements by the Town of Jamestown are governed by state law and these Purchasing Policies. The Town of Jamestown establishes further requirements for the Town's purchasing activities in separate sections of this policy. The Town's administrative policies and procedures describe basic procurement processes: *e.g.* public bidding, bid opening, bid evaluation and bid award.

3.2 Principles and Ethics.

All employees of the Town of Jamestown subscribe to the following principles and ethics:

We believe in the dignity and worth of the service rendered by government and our own social responsibility as trusted public servants. We consider, first, the interest of the Town in all transactions and agree to carry out the Town's established Purchasing Policies and applicable law.

We will keep the Town informed, through appropriate channels, on problems and progress of the Town of Jamestown that we serve, but keep ourselves in the background, by emphasizing the importance of the facts.

We are governed by the highest ideals of honor and integrity in all public and personal relationships in order that we may merit the respect and inspire the confidence of the Town and the public, which we serve.

We strive to stimulate competitive bidding in order to obtain goods and services at the lowest possible cost, and to provide all interested vendors with the opportunity to offer their products to the Town.

RFP process will be used. A Town form of contract for services shall be used, though vendor forms may be used if amended to be substantively the same as the Town's form of service agreement.

- d. Only the Mayor shall sign or enter into any contract for the Town. It is important to understand that authority to approve expenditures from the budget does not constitute authority to bind the Town to contracts or contract changes. To originate a maintenance agreement, a request for approval must be submitted to the Mayor. For contracts costing more than \$25,000, the request for approval shall contain the three quotes including a full description of the service to be received, the vendor's name, and the price. An open ended purchase order shall be issued for the current fiscal year only.

3.4.3 Vehicle Purchases and Vehicle Repairs. Vehicle purchases shall be conducted through a competitive bid/quote process. Included in the quote or bid for vehicles are those specifications necessary for the vehicle to perform functions unique to the department requesting said vehicle. Purchasing steps to be followed:

- a. Those purchases not exceeding \$25,000 and pre-approved in the budget shall be submitted to the Mayor for approval. A memorandum outlining purchase justification with competitive bids/quotes attached will also be submitted to the Mayor.
- b. All purchases exceeding \$25,000 require review by the Mayor prior to submitting to the Town Board.
- c. Vehicle purchases exceeding \$25,000 and pre-approved in the budget shall be reviewed and approved by the Town Board. A memorandum outlining purchase justification with competitive bids/quotes attached should also be submitted.
- d. Vehicle purchases not pre-approved in the budget require approval by the Town Board.

3.4.4 Personal Purchases. It is prohibited for an employee or official to make purchases for personal purposes or to receive special pricing from a vendor using the Town's name, account, or reputation.

3.4.5 Credit Card. The Town Clerk has the responsibility to oversee all purchasing activities for all departments of the Town. Any employee that has a purchasing card approved by their department head is authorized to purchase goods pursuant to 3.8 below.

3.4.6 Purchase Orders. A purchase order is not required for items under \$1,500, and a purchase order will be issued at the time an order is placed or contract signed.

3.4.7 Purchasing Thresholds.

- a. **\$5,000 to \$25,000.** Capital purchases exceeding \$5,000 but not more than \$25,000 shall be made only when said goods or services have been approved through the budget process. These purchases require approval by the Mayor before acquisition of the good or service can be obtained. Purchases under this category that have not been approved through the budget process shall require approval by the Town Board at a scheduled Town Board meeting. Purchases under this category shall require (3) competitive bids/quotes regardless if the item(s) to be purchased were pre-

proprietary item or service does not justify sole source procurement if there is more than one potential bidder or offeror for that item or service. The following are examples of circumstances that could necessitate sole source procurement:

- Where the compatibility of equipment, accessories, or replacement parts is the determining factor.
- Where a sole supplier's item is needed for trial use or testing.
- Where a sole supplier's item is to be procured for resale.
- Where public utility services are to be procured.
- For continuity between multi-phased projects.

3.4.9 State Bids. The State of Colorado has expended considerable time and money to assure that the items on the State Bid list are made available at the best competitive price, equally throughout the State. Occasionally, local vendors may have selected items at a slightly lower price; however, the State Price Agreements with the listed vendors insure that based on projected quantities purchased through the State over a certain period of time, the best overall economy will be achieved. The list is alphabetical by commodity and indicates the vendor(s) who have received the State Price Agreement. The listing is on the internet:

Enter: www.gssa.state.co.us

Click on link to State Purchasing Office

Click on link to Current Price Agreements

Click on link to List of Price Agreements (for Commodities/Services) in middle of page

3.4.10 Local Preference. The Town may provide a 2% local purchasing advantage for equipment, supplies and services up to \$37,500. For federal grants, the Town of Jamestown is aware that it is against the federal regulations to give geographic preference except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. The Mayor shall make final determination of whether the local advantage is applicable.

3.7 Exemptions from the Public Bidding Process

The Town recognizes certain exemptions from the Public Bid Process, as described herein.

3.7.1 Professional Services. This Purchasing Policy shall not apply to professional services and the requirements shall not be mandatory in the employment of professional services. Professional services include, but are not limited to, the following: Attorneys, Bond Counsel, Certified Public Accountants/ Auditors, Consultants, Engineers, Financial Advisors, Physicians, Real Estate Brokers.

3.7.2 Design-build Services. This Purchasing Policy shall not apply to design-build specialty services so long as the Town Board approves such an exemption through formal action.

3.7.3 Use of State Bids Awards. This Purchasing Policy shall not apply if departments are able to piggy-back on a State bid award, GSA bid award, or other bid award where a Public Bid Process has taken place.